

PATENT COOPERATION TREATY
PCT
INTERNATIONAL SEARCH REPORT
(PCT Article 18 and Rules 43 and 44)

C40

Applicant's or agent's file reference 13888-87	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below
International application No. PCT/CA2008/000300	International filing date (<i>day/month/year</i>) 15 February 2008 (15-02-2008)	(Earliest) Priority date (<i>day/month/year</i>) 16 February 2007 (16-02-2007)
Applicant AFFINIUM PHARMACEUTICALS, INC. ET AL		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of:

☒ the international application in the language in which it was filed

☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. ☐ This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6bis(a)).

c. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I

2. ☒ **Certain claims were found unsearchable** (see Box No. II)

3. ☐ **Unity of invention is lacking** (see Box No. III)

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant

☐ the text has been established by this Authority to read as follows :

5. With regard to the **abstract**,

☐ the text is approved as submitted by the applicant

☒ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

cited July 5/08 NR

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant

☐ as selected by this Authority, because the applicant failed to suggest a figure

☐ as selected by this Authority, because this figure better characterizes the invention

b. ☒ none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No.
PCT/CA2008/000300**Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of the first sheet)**

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons :

1. ☒ Claim Nos. : 29-33 and 37

because they relate to subject matter not required to be searched by this Authority, namely :

Although claims 29-33 and 37 are directed to a method of treatment of the human or animal body, the search has been carried out and based on the alleged effects of the compounds and composition thereof.

2. ☐ Claim Nos. :

because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically :

3. ☐ Claim Nos. :

because they are dependant claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows :

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of additional fees.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claim Nos. :
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claim Nos. :

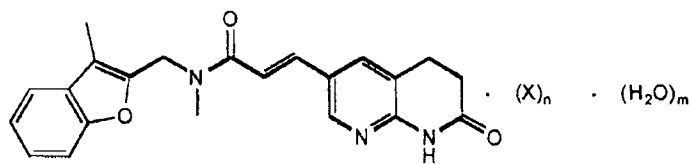
Remark on Protest ☐ The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.

☐ The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.

☐ No protest accompanied the payment of additional search fees.

Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

Salts of compounds according to formula (I)



wherein the X is selected from the group consisting of H_2SO_4 , $\text{HSO}_3\text{R}'$, HSO_3Ar , H_3PO_4 , HCl , HBr , $\text{CF}_3\text{CO}_2\text{H}$ and $\text{CCl}_3\text{CO}_2\text{H}$. The preferred salt being the p-toluene sulfonate. These compounds and their pharmaceutical composition are useful as FabI inhibitors for treating bacterial infections.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/CA2008/000300

A. CLASSIFICATION OF SUBJECT MATTER

IPC: *C07D 471/04* (2006.01) , *A61K 31/4375* (2006.01) , *A61L 2/16* (2006.01) , *A61P 31/04* (2006.01)

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic database(s) consulted during the international search (name of database(s) and, where practicable, search terms used)
STN (structure)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2004/82586 Berman et al. 30 September 2004 (30-09-2004) pages 2-3, 31-36, 80 and claims	1-7, 10-19, 21, 26-33, 35-37
X	CA 2.444.597 Burgess et al. 6 October 2002 (06-10-2002) pages 2-7, 13-14, 25-27, example 99 and claims	1-7, 10-19, 21, 26-33, 35-37
X	Antimicrobial Agents and Chemotherapy, April 2007, p.1580-1581 (published on January 12, 2007) Karlowsky et al. "In Vitro activity of API-1252, a novel FabI inhibitor, against clinical isolates of <i>staphylococcus aureus</i> and <i>staphylococcus epidermidis</i> "	21, 29-33, 37

☐ Further documents are listed in the continuation of Box C.☒ See patent family annex.

* Special categories of cited documents :	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier application or patent but published on or after the international filing date	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&" document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means	
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

7 April 2008 (07-04-2008)

Date of mailing of the international search report

5 June 2008 (05-06-2008)

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INTERNATIONAL SEARCH REPORT
Information on patent family members

International application No.
PCT/CA2008/000300

Patent Document Cited in Search Report	Publication Date	Patent Family Member(s)	Publication Date
WO2004082586	30-09-2004	CA2519429 A1	30-09-2004
		EP1608377 A2	28-12-2005
		JP2006523207T T	12-10-2006
		US2006142265 A1	29-06-2006
CA2444597	06-10-2002	AU2002367773 A1	03-11-2003
		EP1560584 A2	10-08-2005
		JP2005519984T T	07-07-2005
		US7049310 B2	23-05-2006
		US7250424 B2	31-07-2007
		WO03088897 A2	30-10-2003